

1       David Cole from the City of Stockton who might be  
2       able to address at least part of the concerns. With  
3       us we have Sergeant David Cole.

4                   SGT. DAVID COLE: Good afternoon. I'd  
5       like to thank the Commission for adjusting your  
6       agenda to allow me to address you.

7                   I heard some of the issues that were being  
8       raised by some of the Commissioners and that were  
9       brought to your attention by Mr. Lo. What I wanted  
10      to do was to explain to you that the Stockton Police  
11      Department is very aware of some of the problems that  
12      not only the refugee population is experiencing, but  
13      a lot of the other protected class populations are  
14      experiencing. Through the Department of Justice, the  
15      U.S. Department of Justice, the community relations  
16      we have been working on probably about six to nine  
17      months on forming what is known as an Asian Advisory  
18      Committee on Crime. This is a phenomenon in six or  
19      seven cities in the State of California and possibly  
20      maybe one or two other states besides California. We  
21      are formerly -- presently, excuse me, organizing a  
22      similar committee in the City of Stockton, which will  
23      be comprised of representatives from all refugee  
24      assistance programs in the city, representatives from  
25      each of the Asian communities including all the

1 ethnic Southeast Asian representatives from state and  
2 government, county government, from law enforcement.  
3 And some of the things we're attempting to address is  
4 making law enforcement and the entire law system a  
5 little more accessible to the Asian and refugee  
6 population of the state.

7 Mr. Lo mentioned a gang problem with the  
8 Southeast Asian refugees. The federal government  
9 recently awarded the County of San Joaquin a million  
10 dollar federal grant. This grant involves eleven  
11 agencies which have formed a consortium to address  
12 the problem of gangs, not only in refugee  
13 populations, but black and Hispanic groups as well as  
14 white groups, in the City of Stockton.

15 That funding is expected any moment,  
16 sometime this month. We are currently meeting on a  
17 monthly basis trying to set up all the programs and  
18 the education and all the other services we hope to  
19 address and do with that grant funding, and basically  
20 that's where we are now. If you have any questions,  
21 I'd be more than happy to try to answer them for you.

22 MR. HARVIER: My name is Vincent Harvier,  
23 and I am President of the American Indian Community.  
24 You said that you were formulating this plan to be  
25 more accessible to the community, such as the Asian

1 community, and spoke of -- specifically, you  
2 mentioned gangs. What other areas will this  
3 committee, or this commission be covering with  
4 regards to making your people more accessible to the  
5 community?

6 SGT. COLE: The task force itself, and  
7 that isn't necessarily completely a police department  
8 function, are primarily concerned with the gang  
9 issue. I represent the community services section of  
10 the police department. We're concerned with forming  
11 the committee, Asian Advisory Committee, to address  
12 not only the issues of crime, but also the issues  
13 that Mr. Lo brought forth, the breakdown of the  
14 family, the language barrier issue.

15 Some agencies within California, regarding  
16 the language issue, a lot of times the refugees will  
17 call in and need police assistance or something of  
18 that nature, and because of the language barrier they  
19 don't get the services they need. Some agencies have  
20 gone to adapting telecommunication lines that provide  
21 immediate translation services on a conference setup.  
22 And that is something we are going to be looking at.

23 Those services take time, and you know how  
24 budgets and budget processing works, but those are  
25 some of the issues we want to approach, not only

1 because of the gang-related issues, but some of the  
2 cultural issues.

3 MR. HARVIER: I guess my big concern is  
4 when I say "gang" that seems to be priority in law  
5 enforcement, the gangs, the drug problems, and I was  
6 wondering, with a limited amount of resources as far  
7 as monetary is concerned, how much of that could you  
8 see getting back into this area. Basically, I guess  
9 what I am hearing from Mr. Lo is that, in the way he  
10 was making his presentation, it seems like there's a  
11 lot of -- he's unsure of the system and these  
12 agencies. Obviously during the tragedy, there might  
13 have been some commitments made that weren't allowed  
14 on the part of other agencies, and I was a little bit  
15 concerned about what part you could play in that  
16 area, other than gangs.

17 SGT. COLE: I understand your question.  
18 That's an issue that has received quite a bit of  
19 questioning not only from the Asian communities, but  
20 by all of the communities in Stockton that gangs are  
21 effecting.

22 Gangs seem to be, and drugs as well as  
23 you're all aware, seem to be the hot item in law  
24 enforcement these days, the President's recent speech  
25 about drugs and that sort of thing. So certainly

1 there's a lot of attention on the state and national  
2 level regarding drugs and gangs and how to interdict  
3 these things. That's where a lot of federal money is  
4 coming from.

5 In terms of what we're doing in our  
6 community, I can't speak on the Cleveland issue  
7 because I'm sure you're aware there's litigation  
8 involved, but in terms of what we're trying to do as  
9 a law enforcement agency in conjunction with other  
10 public agencies in the community, as well as the  
11 different and various community groups, we're trying,  
12 we're attempting to address not simply the gang issue  
13 because the gang issue may be -- in my personal  
14 opinion, it's an outgrowth of a lot of other issues.  
15 Just as every immigrant group in this country has  
16 come into this country they band together for  
17 protection, and I don't see any difference in that  
18 phenomenon and what's going on in the Southeast Asian  
19 population now. It's a cultural thing. There's a  
20 lot of education that needs to take place. There's a  
21 lot of work that needs to be done.

22 Mr. Lo mentioned leadership in the Asian  
23 community. We're also attempting to assist in that  
24 not only the representatives of the refugee  
25 assistance programs, but also the elected leaders

1       within each particular village or community where the  
2       Southeast Asians populate. So we're trying to get a  
3       tiered process of leadership, bring that leadership  
4       together and present it to us -- the public agencies  
5       and political bodies -- what their actual concerns  
6       are, and attempt to address those actual concerns,  
7       aside from the gang issue.

8                   HON. LYTLE: This question of access is a  
9       legitimate one, of course. But it carries with it  
10      the connotation you wait until someone approaches and  
11      you make sure on that approach that they have access.

12                  But Mr. Lo appeared to be saying that his  
13      community is comprised of people who, given all the  
14      access in the world, probably would never approach  
15      you or your agency for help. And if they had an  
16      inclination to do so, language and a variety -- a lot  
17      of other barriers would prevent them. Is there  
18      anything your agency can do to engage in an outreach  
19      program, and I'm sure in this community it would have  
20      to be a very aggressive outreach -- can you -- is  
21      there any way you can tailor your program to meet  
22      that problem?

23                  SGT. COLE: Exactly, and that's why we  
24      formed this Committee. We have implemented programs  
25      since we had the influx of refugees in the Stockton

1       community that will give them access if they came  
2       forward for it. But we found that even after  
3       implementing these programs, and I don't profess to  
4       be an expert on Asian culture, but we found that most  
5       Asian communities tend to want to handle their own  
6       problems and particularly the Asian communities, they  
7       are reluctant, distrusting, and a lot of other things  
8       as far as law enforcement is concerned. So we are  
9       taking the store to them and letting them know we are  
10      there and trying to indoctrinate them, if you will,  
11      to what our system is and how our system works in  
12      this country.

13           There are a lot of barriers, a lot of  
14       distrust based on what they experienced in their own  
15       homeland and what they've come to know here, and so  
16       we're trying to bridge those gaps. And it's going to  
17       be a long process, but we're committed to it.

18           MR. LINDSTROM: Was any of that million  
19       dollars being used to develop any studies or  
20       materials regarding the various communities that  
21       you're dealing with? In other words, has someone  
22       gone and prepared studies on the makeup of their  
23       communities and given a little bit of history about  
24       that community, a little time to report about the  
25       society and the psychological aspects?

1                   SGT. COLE: I think what I need to do is  
2 delineate that million dollars because what that  
3 basically is for is to the District Attorney's  
4 office. Because of the high incidence of gang  
5 activities in Stockton, it is to address specifically  
6 gangs. Through that, they are attempting to educate  
7 the entire community as well as provide prevention  
8 services and counseling services to gang-involved  
9 individuals.

10                  In terms of the Committee that the  
11 Stockton Police Department is forming, of which I am  
12 coordinating, yes, we intend not only to educate the  
13 rest of the communities as to some of the cultural  
14 aspects of the refugee groups, but also we hope to do  
15 some training as far as our officers are concerned so  
16 they will be more aware of the cultural aspects and  
17 more sensitive to it.

18                  I hope that's answering the question.

19                  MR. LINDSTROM: Yes. The only reason I  
20 ask is that to understand the gang you have to  
21 understand the community.

22                  SGT. COLE: Absolutely.

23                  HON. RODRIGUEZ: Do you have a feel for  
24 the size of the Southeast Asian refugee community in  
25 Stockton?

1 SGT. COLE: There's approximately 45,000,  
2 quite a significant number.

3 HON. RODRIGUEZ: It's similar to our area  
4 in Fresno, it's reported.

5 SGT COLE: Absolutely. You could call  
6 Fresno and Stockton, as far as the population goes,  
7 sister cities. In Cleveland there was a lot of  
8 immigration from there to here due to fear, and I  
9 spoke with officials in Fresno and basically they  
10 informed us a lot of people from Stockton are coming  
11 to Fresno now because of what is happening and it's  
12 very, very similar. We have a lot of the same  
13 communication networks and a lot of the same people  
14 that travel back and forth.

15 MS. YU: How are you dealing with the  
16 language problems?

17 SGT. COLE: In terms of what?

18 MS. YU: In terms of improving access  
19 communication cooperation. Do you have people on  
20 your staff?

1 to Asian communities about human services that are  
2 available to them. We have access to one of the  
3 refugee newspapers called Indochinese News. They  
4 will be providing translation services for us and  
5 written material.

6 There's also available through the Oakland  
7 Police Department several video-tape presentations  
8 educating the refugee population on the criminal  
9 justice system here, that are also in all of the  
10 Asian languages. And in addition, I hope to be able  
11 to provide that translation service for our  
12 telecommunication center.

13 MS. YU: Do you have a special recruitment  
14 effort for multilingual officers on your force?

15 SGT. COLE: We are trying. I recently set  
16 up a police officers referral -- we had a couple of  
17 candidates come through, and the results of that  
18 aren't complete yet. But we hope to be able to have  
19 them very soon.

20 DR. HAWKINS-RUSSELL: Are those four  
21 persons you mentioned on your staff who speak the  
22 Southeast Asian languages, are they Southeast Asian  
23 people themselves?

24 SGT COLE: Yes, they are.

25 MONSIGNOR BARRY: Thank you, David, very

1       encouraging.

2               Now do we have anybody from the Anti-  
3       Defamation League? If not, we'll move on and take  
4       Walter Barnes, Director of Social Services. Is Mr.  
5       Barnes with us today?

6               Well, Dr. Ramiro Reyes from the State  
7       Department of Education?

8               MS. MERCADO: Dr. Reyes has been sitting  
9       in for this hearing. As you recall, he's the liaison  
10      -- he did testify at the hearing in Los Angeles. We  
11      wanted to recognize him since we have a little time  
12      and give him an opportunity. He may have decided to  
13      go out for a bit, so maybe it's a good time to take a  
14      stretch.

15              MS. CASTRO: I had a couple of  
16      observations that I wanted to share with the  
17      Commission, I think as a result of today's hearings.

18              One certainly has been the whole issue of  
19      law enforcement and that local jurisdictions really  
20      have a strong lead in how hate violence crime is  
21      reported, and what kind of remedies can be taken, and  
22      how it is very different, very obviously different in  
23      some communities than others. Certainly, the  
24      Commission needs to address how we can uniformly get  
25      law enforcement agencies to be more aggressive.

1           There is also the issue of passiveness and  
2 aggressiveness in the police departments that have  
3 made the difference in communities -- where you have  
4 a good response from law enforcement and working  
5 together with communities to another community where  
6 you have very limited response, and it's become very  
7 obvious. And I think that's an area that we may want  
8 to move into, certainly, as we look at  
9 recommendations.

10           The second thing has to do with the area  
11 of education, what we have done, what this country  
12 has done to us and that is to assume that education  
13 only takes place in public schools, and we certainly  
14 have to be concerned with education of the public on  
15 good human relations and race relations. I'm not  
16 sure it's always the public schools. Certainly the  
17 public schools have a tremendous role and have to be  
18 overhauled in this particular area, but I think we've  
19 heard some testimony today that talks about how do we  
20 work with communities to actually start a process  
21 that is more than just addressing children.

22           Children learn from parents, parents learn  
23 from their parents and how we have to be able to tap  
24 into that. So when we look at an educational  
25 process, it's more than just a public schools

1 process. It's about how do all communities become  
2 more aware and perhaps more sensitive to the issues  
3 of good human relations. And I wanted to make those  
4 observations. It seemed today, more than ever, that  
5 it is evident that we need to look at that.

6 Many times at a local level, many times in  
7 terms of local solutions with a strong push in terms  
8 of the state wanting to have some commonalities in  
9 terms of support systems which I think is going to be  
10 absolutely essential -- a support system for it.

11 HON. RODRIGUEZ: I'd like to respond to  
12 that comment. As she was talking, I was thinking  
13 back about some public service announcements that the  
14 media used to have and they were not only human  
15 relation aspects. We used to see those years ago. I  
16 haven't seen them for a long time and I'm wondering  
17 whether it's an avenue that this Commission could  
18 address vis-a-vis the public service announcements.  
19 And I haven't seen those recently that I can recall,  
20 but they used to be relatively frequent.

21 MS. MERCADO: Those are good comments.  
22 Let me just refer you, at least in Sacramento now,  
23 we're having a world of difference which is already  
24 started, this program in Sacramento which we're  
25 starting to see that.

1           We do have a couple of other speakers. I  
2 just suggest that we hear the testimony of these that  
3 are still here or have just arrived. And then there  
4 will be time to have some input from the  
5 Commissioners which we really want.

6           MONSIGNOR BARRY: I think we have Don  
7 Black here, Chairman from the San Jose Human  
8 Relations Commission. No, he's not here? Well, we  
9 will then have Lou Roseman from the Contra Costa Hate  
10 Reduction Task Force.

11           LOU ROSEMAN: I'm Lou Roseman and I am a  
12 member of, and Vice-Chairman of the Contra Costa Hate  
13 Reduction Task Force. I thank you for the  
14 opportunity to come here and speak to you about one  
15 of the things that we're doing in Contra Costa  
16 County.

17           At a time when hate violence crimes are on  
18 the rise, it becomes abundantly clear that  
19 legislation to eliminate this evil is not sufficient,  
20 nor is it sufficient to have the police involved in  
21 it as well. What we need is a more full-scale  
22 program that was, as was just mentioned here a moment  
23 ago, that would involve the family, the community,  
24 neighborhoods, schools, police, religious  
25 organizations and any other groups that we can think

1 of that are part of the socializing process in  
2 society today. What many programs want, or how they  
3 work in a partial way to overcome some of these  
4 problems of hate violence, but so far as I know what  
5 we are doing in Contra Costa County is the first  
6 program in the nation that attempts to coordinate and  
7 integrate all of these different aspects of hate  
8 violence prevention into one package. And so in  
9 establishing this force for reducing hate violence we  
10 have included programs that relate to police  
11 programs, that relate to education, school systems,  
12 and programs that relate to the community.

13 The attempt is to mold all of these into  
14 one integrated whole, so that the problem can be  
15 attacked from a variety of levels, and from different  
16 places so that it can be effective. The task force  
17 and the legislation that exists now in a number of  
18 states in the country and as a matter of fact, I am  
19 told that Governor Deukmejian just signed Senate Bill  
20 202, the Watson Bill, requiring police to report to  
21 the State Department of Justice incidents of hate  
22 violence.

23 All of that is very fine and is part of  
24 what we were hoping to work on as well. Our program  
25 has got a lot of endorsement in Contra Costa County,

1 all of whom have an interest in reducing the level of  
2 violence in the world that we live in. We have a  
3 report which will be sent to all the members of this  
4 Commission tomorrow. I have taken the liberty to  
5 excerpt a few pages from that report which you have  
6 handed out to Commission members, and I'd like to  
7 just take a few minutes to go over it with you so as  
8 to highlight a few of the things that we're doing, so  
9 you'll get a sense of the orderliness of how we put  
10 this thing together.

11 So on the first page, we have a model  
12 county hate violence system that handles the minimum,  
13 following characteristics: Prevention program and a  
14 response program. In the prevention program we need  
15 to develop appreciation of differences among people  
16 reaching all students within the county. We need a  
17 school conflict resolution program. It has been  
18 found to be extremely successful in reducing tensions  
19 at the school site.

20 We need community programs to promote  
21 understanding and to prevent conflict among diverse  
22 populations of the county and certainly we need  
23 ongoing training programs for all groups of people,  
24 personnel and various agencies, private and public  
25 organizations in order to achieve the response we

1 need to encourage victims of bigotry to report  
2 incidents.

3 That is one of the big problems. There is  
4 not enough reporting going on. People are afraid to  
5 report and that is part of what we're attempting to  
6 do as well. We need a uniform reporting system, and  
7 a protocol for funneling reports so we can have a  
8 list of them and know just how much is happening to  
9 quantify them. The whole thing we need to have a  
10 procedure to ensure immediate victims support and  
11 protection. That is a very necessary thing,  
12 protection to victims and support, psychological  
13 support. It is certainly an important aspect of the  
14 job that needs to be done, and of course, we need  
15 strategies to prevent reoccurrence of these  
16 incidents.

17 We need contingency plans to prevent an  
18 escalation of incidents and to a larger conflict in  
19 the community, and we need a monitoring system to  
20 identify the precursory things that cause hate  
21 violence and provide recommendations and ideas to  
22 prevent this.

23 In order to achieve this, we have  
24 established three different committees. A task force  
25 is working in their own way in each of these areas to

1 do the things that we have just mentioned. Those  
2 committees are one of criminal justice, particularly  
3 where we are working with the police chiefs of the  
4 county. And there are quite a few who are working  
5 with the education community. And we are working  
6 with the community organizations also in order to  
7 achieve some of these goals that we have.

8 We have completed the design phase of the  
9 program, we are now approaching implementation and we  
10 hope we can have it implemented and in place in June  
11 of 1990. Some of the design phase that we have, that  
12 we have been working on and have achieved are  
13 policies and procedures and training for police  
14 response to hate crimes. We have policies and  
15 procedures for the prosecution of hate crime by the  
16 District Attorney that, by the way, is already  
17 operational.

18 Whenever you see those little footnote  
19 numbers, those particular aspects of our plan are  
20 already in operation.

21 We have policies and guidelines for K  
22 through 12 school responses to bias-related  
23 incidents. We are working very strongly on  
24 curriculum department diverse peoples and violence  
25 prevention and appropriate subject areas,

1 information sharing on school programs so that what  
2 exists at one school will be shared with the various  
3 other schools in the school districts in your county.  
4 Our county has about 14 or 15 school districts, each  
5 of them quite independent, and the attempt here is to  
6 share the information from one district to another  
7 and to do that sort of thing. And another thing that  
8 we have is to develop training programs for members  
9 of the community, from the members of the police  
10 force, and religious organizations, a whole variety  
11 of people who will be trained and given some training  
12 on conflict resolution -- how to define incidents and  
13 how to work to prevent these things from happening.  
14 And a very novel thing we are working on now is to  
15 living room discussions. We're attempting to get 100  
16 living room discussions around the area of  
17 stereotypes -- break down stereotypes, get people to  
18 know each other and get people to live with each  
19 other in a better way.

20 Contra Costa County has been designated as  
21 the central agency for conflict resolution programs  
22 in the County of Contra Costa and as such we will be  
23 a central funneling place for various forms of  
24 conflict, not just for minority conflict, but all  
25 kinds and we will be the leaders of that. In that

1 sense, we will not be involved only funneling, but  
2 also in training community leaders and students and  
3 conflict resolution and this is part of the design.

4 We are having the goals and objectives  
5 which are essentially the kind of thing we already  
6 covered, I don't think we need to go over them again.  
7 Our hope is that we can get some help from this  
8 Commission in the sense of some kind of verbal  
9 support for us, because I think what we are doing in  
10 Contra Costa County, what we are doing as a model,  
11 which although it's bound to be imperfect, will  
12 provide certainly a wealth of material from which  
13 other communities can take. And so I hope you can  
14 find a way to help us with that. Thank you very  
15 much.

16 MR. KASSOY: I'm David Kassoy. Giving  
17 verbal support is very easy. We are more than  
18 gratified for sure to see what you are doing. If  
19 there is a great deal of resentment to what you  
20 recommended in our 1986 report, you have done  
21 statewide. I believe legislation was introduced by  
22 the Attorney General, which did not pass the  
23 legislation, setting up human relations commissions  
24 in every county to do precisely this type of thing  
25 --interact with the police and community for an

1 information gathering, to be a consortium vehicle on  
2 a local level. So what you are doing is very  
3 gratifying. I hope it is very successful because  
4 success stories like this enable us to sell this on a  
5 broader level.

6 I'd like to ask two specific questions  
7 about your program. I noticed that you're designing  
8 policies procedures for police in response to hate  
9 crimes and you're also designing curriculum in  
10 schools to integrate appreciation for diversity,  
11 violence prevention. I'm curious whether the  
12 guidelines adopted at the recommendation of this  
13 Commission by the Police Officers Standards of  
14 Training, or POST, on the various subjects for police  
15 training or the guidelines that were promulgated by  
16 superintendents of schools and recommendations of  
17 this Commission for curriculum like this. Were  
18 either of these two sources any influence or  
19 assistance to you in designing your own curriculum in  
20 this?

21 MR. ROSEMAN: I am afraid I cannot answer  
22 that directly. The best I can say is the meetings I  
23 attended and happened to be associated with because I  
24 am an instructor at a community college, and so at  
25 the meetings I attended there were some references

1 made to those recommendations and guidelines that  
2 came out, and I must say that I never looked into  
3 that very carefully to find out whether it came as a  
4 result of this Commission's report or not. But I do  
5 remember hearing some references, I think, that were  
6 in line with those.

7 MR. KASSOY: Did you draw on the  
8 experience of any other school districts in this  
9 area?

10 MR. ROSEMAN: Yes. So far as I know we  
11 have -- I don't know the Los Angeles program, but I  
12 do know we have been looking rather closely at the  
13 work of the San Diego School District which has been  
14 doing -- they have developed what I thought was a  
15 fine program in the area of cultural diversity. And  
16 at times I think some of the material that we've  
17 incorporated into the educational aspect of this was  
18 to some extent based on what the San Diego district  
19 had done. I cannot answer about the Los Angeles  
20 School District. I do not recall that.

21 MS. YU: Excuse me, one of the things  
22 that's intriguing to me is on the third page, how you  
23 fund this. Because we've heard from a number of  
24 witnesses that one of the big problems is that all  
25 the good ideas in programs there are, they don't have

1 a source of funding. Can you tell me how filing fees  
2 are a means of support and how much is coming out of  
3 these filing fees to support your efforts?

4 MR. ROSEMAN: Those filing fees, I think  
5 it's a state law. I think the \$3 out of every civil  
6 filing fee goes into a fund for conflict resolution.  
7 Specifically for conflict resolution, not anything  
8 else and that fund is shared by a number of different  
9 organizations. It has been very slow in coming down  
10 in Contra Costa County. I must say that the others  
11 disbursed those funds quite a long time ago, but for  
12 some reason there's been a long delay in Contra Costa  
13 County about that. And my understanding is that the  
14 designation has finally been made, and the Human  
15 Relations Commission of the county is getting  
16 something like \$11,000 out of a kitty of \$100,000  
17 with a larger percentage of it going to an  
18 organization called Conflict Resolution Panel. And I  
19 founded that, and so I take a little pride in that,  
20 but this was set up specifically for conflict  
21 resolution and there are a number of other agencies  
22 that also have gotten help, like Battered Women,  
23 Richmond Housing has gotten some money from it and  
24 also -- so while the Human Relations Commission is  
25 getting some, our commission is getting some money

1 from it -- not an awful lot though.

2 MS. CASTRO: Can you tell me what the  
3 commission of your task force does in terms of any  
4 interested groups?

5 MR. ROSEMAN: That are on it?

6 MS. CASTRO: Yes.

7 MR. ROSEMAN: Yes, I can tell you if you  
8 will indulge me for a moment. I left the full report  
9 over here.

10 Would it be helpful if we went by all the  
11 interest groups, by school districts for example.

12 MS. CASTRO: Yes.

13 MR. ROSEMAN: I could certainly include  
14 all of the school districts in our area, at least the  
15 major ones. We can include the sheriffs department,  
16 the district attorneys, we can include the police  
17 chiefs, although some have been more active and  
18 cooperative than others. We are including  
19 organizations like the NAACP, Black Family  
20 Association, Mexican-American Political Association,  
21 Chinese-America, Central Americans, Asian Law Caucus,  
22 Japanese-American Citizens League, quite a few  
23 churches and synagogues, crisis hot-lines, Housing  
24 Alliance, Self-Esteem Task Force, a whole variety of  
25 religious organizations if I didn't already mention

1           those.

2           We've tried to cover as many kinds of  
3           organizations as we could.

4           MONSIGNOR BARRY: Thank you very much and  
5           you do have that report for us also.

6           MR. ROSEMAN: That will be sent to you.

7           MONSIGNOR BARRY: Thank you.

8           And now we do have Walter Barnes here of  
9           the California Department of Social Services.

10          WALTER BARNES: Thank you. My name is  
11          Walter Barnes and I'm chief of the refugee and  
12          immigration branch which is within the State  
13          Department of Social Services. As the chief of that  
14          branch, we are responsible for the development and  
15          implementation, monitoring, and evaluation of policy  
16          and systems for the delivery of a variety of services  
17          to persons who admitted into this country and are  
18          resettling in California as refugees.

19          The branch also has a societal  
20          responsibility in relation to the recently passed  
21          Immigration Control Act to ensure that programs  
22          administered by the State Department of Social  
23          Services are provided appropriately to newly  
24          legalized aliens. However, within the branch we have  
25          a bureau called the Immigration and Resettlement

1 Management Bureau, and that's responsible for trying  
2 to facilitate communications and coordinating  
3 activities concerning refugees, and you have to  
4 remember that most of the refugees in California are  
5 Southeast Asian, primarily from Vietnam, Cambodia,  
6 and Laos, together with a number of ethnic groups of  
7 nonvarious others.

8 The organization tends to try to resolve  
9 issues involving refugees which can be addressed by  
10 the state and local agencies and we try to assist in  
11 the state and local resolving of issues,  
12 misunderstandings about cultures, misunderstandings  
13 about who the refugees are and what their needs are  
14 and how to go about serving them.

15 The issues that we try to address in  
16 working with both state and local agencies can vary.  
17 They include mental health services, crime education,  
18 legalization, cultural awareness, and to give you two  
19 examples of some of the activities that we are  
20 involved in, which we are attempting to use to try to  
21 deal with the hate violence directed at Southeast  
22 Asians right now. We are currently working with the  
23 Governor's Office of Community Relations in  
24 facilitating a series of meetings to assess the  
25 incidence of hate or violent crimes against the Asian

1       community, but specifically the focus on the  
2       Southeast Asian community.

3               This focus has come about because of a  
4       number of incidents against Southeast Asians  
5       including the very tragic incident in Stockton in  
6       January which affected five Southeast Asian children,  
7       where they were murdered. During the past few months  
8       in connection with the efforts we've facilitated,  
9       seven meetings through refugee-impacted areas  
10      throughout California, this includes Fresno, San  
11      Diego, Los Angeles, Stockton, Contra Costa County,  
12      and Alameda and Orange County. The meeting  
13      participants have included representatives of the  
14      refugee communities themselves.

15               It has included county welfare information  
16      departments, police and sheriff departments,  
17      voluntary agencies that do the resettling of  
18      refugees, school districts and district attorneys  
19      offices. In addition, the Governor's Office of  
20      Community Relations has been representative and the  
21      Office of Criminal Justice Planning at these  
22      meetings. The Governor's Office of Community  
23      Relations is currently analyzing this kind of data  
24      that came about as a result of these meetings. And  
25      in order to determine what kind of incentives they

1 may wish to recommend regarding hate violence in  
2 California as was directed against Southeast Asians.

3                   At the same time we have attempted, as I  
4 said, to outreach our own activities and one of the  
5 things that we have done is we have developed some  
6 cultural awareness training. We found that  
7 frequently in dealing with local agencies as well as  
8 state agencies that the misunderstandings and  
9 negative stereotyping and things like this often  
10 result from a lack of understanding about who the  
11 people are, what their needs are, why they're here in  
12 the first place, and what relationship they have to  
13 the services that are to be provided to them.

14                   So we have developed a cultural awareness  
15 training on groups for Vietnamese, Cambodians,  
16 Ethiopians, Afghans, and Laos cultures. By providing  
17 this historical and psychological background of the  
18 country and the peoples, we hope that the education  
19 of various ethnic cultures and to educate the  
20 agencies that are supposed to provide services to  
21 refugees, but they'll understand who they are.

22                   We hope that this will reduce  
23 misunderstandings and improve communication and  
24 create a more positive atmosphere for refugees as a  
25 whole in California. Our culture awareness sessions

1 are presented by staff members, who are themselves  
2 refugees. They came to this country and they are  
3 under contract to us. They provide the services and  
4 training themselves, and that helps because they can  
5 provide their own firsthand knowledge of their own  
6 experiences, and translate that to the people they  
7 are talking about.

8                   The sessions generally consist of a very  
9 brief history of a country to inform the audience of  
10 why refugees had to flee in the first place, an  
11 account for the personal experience of life in their  
12 country and their escape and an overview of religion,  
13 family life, customs of the country, and this is  
14 followed by a question and answer to try to provide  
15 as much specific information as we can to the  
16 participants.

17                   We have tried to gear each of these  
18 training sessions to the needs of the audience that  
19 we're provided, and we have given cultural  
20 orientation, these formal presentations, to the State  
21 Disability Evaluation Division, which is responsible  
22 for reviewing applications for disability benefits as  
23 well as several west Sacramento community groups.

24                   We have a number of requests that have  
25 come in from other state agencies as well as county

1 agencies, and we'll be giving those as well. This  
2 type of service is available on request.

3 These are just two specific examples of  
4 the types of things we try to do to foster a better  
5 understanding within the California community about  
6 who refugees are and why they are here in the first  
7 place, and what their needs are.

8 MS. CASTRO: You, early on, mentioned that  
9 you also had undertaken some implementation of IRKA  
10 (phonetic) and worked for aliens or with aliens. It  
11 seems to me that one of the issues that comes out of  
12 the sensitivity training, not only around the refugee  
13 population, has to do with the population that has in  
14 fact been franchised under IRKA of which the majority  
15 of those happen to be Mexican, Latino, Central  
16 Americans, and against which tremendous amounts of  
17 violence is now being committed. This is racially  
18 motivated and there is substantial documentation in  
19 the state, in my county which is one of the counties  
20 which you work with, have found numbers of cases in  
21 which people in the Department of Social Services  
22 have discriminated against people who were eligible  
23 under IRKA.

24 In addition, county medical services -- we  
25 filed a lawsuit against the county on the denial of

1 county medical services to IRKA applicants. So it  
2 seems to me that at some point there should be some  
3 talk within the department about expansion of that  
4 sensitivity training to an additional group, and that  
5 is how in fact people who are involved in social  
6 services also become sensitized to the issues that  
7 are brought in by people who are now eligible under  
8 the IRKA program.

9 MR. BARNES: Well, that may or may not be  
10 true. I'm not sure how to react to that. The  
11 responsibility I have under IRKA, basically, with  
12 regard to those particular programs administered by  
13 our department for which newly legalized aliens can  
14 be eligible --

15 MS. CASTRO: Can we please use the word  
16 "undocumented"?

17 MR. BARNES: Okay, undocumented aliens who  
18 have applied for amnesty under the provisions of the  
19 immigration format, and I have to be that specific in  
20 order that you can understand that those are  
21 specifically the ones we have authorization to deal  
22 with in our program. The only assistance programs  
23 that we provide for which they are eligible are only  
24 a few cash assistance programs.

25 The overall responsibility for Medi-Cal or

1       medical services is within the State Department of  
2       Health Services, and in addition the overall  
3       responsibility for IRKA implementation in California  
4       rests with the Health and Welfare Agency. I will be  
5       glad to take back this information as well to the  
6       Health and Welfare Agency, and let them know about  
7       this. I'd be happy to take any specific information  
8       that you have and try to get that information across  
9       to those people.

10           MS. CASTRO: I guess that my only concern  
11       was, if you are doing it for one community for which  
12       there is also cash benefit assistance, why aren't you  
13       doing it for another community for which you have  
14       some responsibility?

15           MR. BARNES: The reason I am only doing it  
16       for the Southeast Asians and the groups that I  
17       mentioned is that those are the only groups that are  
18       entered into the country as refugees under  
19       Immigration and Naturalization Services. And that is  
20       the only group for which I can provide and spend  
21       money for.

22           MS. YU: You indicated that your  
23       department and your office helped facilitate meetings  
24       in seven different counties. Do you have some sense  
25       that there is any promising developments in those

1 areas that you can share with us?

2 MR. BARNES: No, I can't right now.

3 Basically, most of the meetings were information  
4 gathering meetings in terms of trying to get  
5 information about the types of concerns that the  
6 Southeast Asian community has about crimes and  
7 violence directed at them, or directed by them  
8 against each other, including gang violence, that  
9 kind of thing.

10 There were, I think, some consistencies in  
11 the day-to-day thing, but all of that is being  
12 evaluated by the Governor's Office of Community  
13 Relations. As I said, our role in this is to try to  
14 facilitate so they could have this.

15 MS. YU: What ultimately is going to be  
16 done as a result of all of these meetings -- is it a  
17 one-shot deal or is there some action connected?

18 MR. BARNES: It's my understanding -- it's  
19 in relationship to larger crimes against Asians as a  
20 whole. It was with some of these incidents that I  
21 mentioned that the Governor's Community Relations  
22 Office indicated that they wanted to get more  
23 specific information from the Southeast Asian  
24 community, and because I have the resources and the  
25 entry into the community through my consultants, they

1       asked me to help set that up.

2            MS. YU: You don't know what the time  
3            table is?

4            MR. BARNES: No, I don't.

5            MR. LINDSTROM: Is there any emphasis on  
6            your training to get more information about these  
7            different groups? Has there been any emphasis to try  
8            to train some of the leaders within the local groups  
9            so they can possibly resolve some of the disputes  
10           that come up within the group, and if they can't  
11           then, of course, they would be the liaison in any of  
12           the services provided.

13           MR. BARNES: We have talked to the leaders  
14           of the Southeast Asian groups and several of them  
15           have expressed an interest in trying to take our  
16           training program and develop it into a kind of model  
17           that could be turned over to them to use in providing  
18           our own district services training. And in fact, as  
19           we get further beyond the Southeast Asian community  
20           into some of the newer ethnic groups, we are going to  
21           have to do that anyway.

22           We will also have money that we have been  
23           provided from the federal government, which we have  
24           earmarked for the provision of cultural orientation  
25           and social adjustment services to refugees. And that

1 money has been earmarked entirely to go to mutual  
2 assistance associations, refugee groups themselves,  
3 to provide those services to refugees. And we have  
4 them going now, I believe, in the 14 largest  
5 counties.

6 MR. LINDSTROM: Do you have any of your  
7 training that you provide to your probation officers,  
8 especially the juvenile probation officers?

9 MR. BARNES: We can provide the training  
10 to them, we haven't received any requests for that.  
11 Like I said, we have just gotten started on this and  
12 now that we have field tested it in these groups  
13 here, our intent is to put out some active testing  
14 and that would include probationary departments as  
15 well as a lot of local agencies. What we're finding  
16 is that there are a number of agencies that should be  
17 providing services to refugees and frequently the  
18 refugees don't know the services are available to  
19 them, or the community. Or the agency that is  
20 supposed to provide the services doesn't necessarily  
21 recognize the refugee group.

22 And our attempt in doing this is to try to  
23 bring those two groups together as much as we can.

24 HON. LYTLE: Any other questions? Thank  
25 you very much.

1           I understand that we have someone from the  
2 Anti-Defamation League here. Monsignor Barry and  
3 some of the other Commissioners had to leave because  
4 they had to catch flights, so I've been asked to  
5 preside over the rest of the meeting.

6           Do we have a representative from the Anti-  
7 Defamation League please? Well, she's not ready, so  
8 maybe this is a good time to give our court reporter  
9 a break.

10           (A short recess was taken.)

11           HON. LYTLE: Now we have two other  
12 speakers. I don't know if Natalie Hausman is ready  
13 or not. I can call another speaker and give you some  
14 more time.

15           NATALIE HAUSMAN: No, I'm ready now. Good  
16 afternoon, thank you for inviting me here today to  
17 testify.

18           As you may already know, hate crimes and  
19 hate violence is on the upswing. The ADL monitors  
20 these events and compiles statistics on an annual  
21 basis. During 1988 there were 823 episodes of  
22 vandalism and 458 acts of harassment, threats and  
23 assaults in the United States against Jewish  
24 individuals, their property and their institutions.

25           This is the highest number of anti-Semitic

1 incidents reported in five years, and the second  
2 straight year of substantial increase in anti-Semitic  
3 vandalism. We at the ADL attribute this significant  
4 increase to several factors. The primary one being  
5 the rising number of neo-Nazi skinheads. There are  
6 currently 3,000 skinheads in the United States, which  
7 is a 50 percent increase over last year.

8 They can be found in virtually all parts  
9 of the United States. These violent youth believe it  
10 is their responsibility and right to fulfill Hitler's  
11 dream of a completely white Aryan nation. They  
12 engage in combat on a regular basis, often resulting  
13 in serious injury and sometimes even death.

14 They are responsible for the majority of  
15 anti-Semitic vandalism and harassment that exists.  
16 Recently there have been two new trends which adds to  
17 the dangers posed by these racist skinheads. These  
18 are the growing patterns of recruitment and  
19 activities in high school, as well as the acquisition  
20 of deadlier weapons. Some examples of skinhead  
21 involvements include the spray painting of swastikas  
22 and vulgar messages on the walls and windows of  
23 synagogues. They also include hanging of bacon on  
24 the door handles of synagogues, the mailing of strips  
25 of bacon to various rabbis and community leaders in

1 the Jewish community.

2 Other events that have involvement on the  
3 part of the skinheads include harassing phone calls.  
4 Recently in Contra Costa County, there was a series  
5 of phone calls made to two people, to individuals  
6 with obviously Jewish surnames. All calls were made  
7 to people of similar surnames and these calls were  
8 abusive and very disturbing. They brought up names  
9 of war criminals from the holocaust, they stated that  
10 all Jews should die, that six million were not  
11 enough. The skinheads are involved in physical abuse  
12 of individuals for other reasons than their ethnic  
13 background and heritage.

14 The Anti-Defamation League responds in  
15 many ways. We believe that education is of primary  
16 importance to identify, to show the public what the  
17 skinheads are, what they do and what they are all  
18 about. We hold security conferences. Recently, our  
19 latest one was two weeks ago in which we invited  
20 representatives from every East Bay Jewish  
21 institution to come and share their concerns, to hear  
22 representatives from the Contra Costa County speak on  
23 safety and institutional security.

24 We have speaker such as Greg Withrow  
25 (phonetic), a former neo-Nazi who has performed, we

1 have him speak so people can hear his history, find  
2 out where skinheads are coming from, and how they  
3 become hate oriented. And so he really is a good  
4 example to show what a threat the skinheads are.

5 We are continuously speaking out in the  
6 community at synagogues, giving testimony at trials.  
7 We are constantly in the media, on the news,  
8 newspapers and radio, and we are continuously  
9 monitoring the activities of the skinheads. We keep  
10 a very careful watch on them.

11 Finally, we would like to say that we are  
12 pleased to see that law enforcement agencies are  
13 increasing their response to bias-related crimes.

14 HON. LYTLE: Thank you very much. Are  
15 there any questions from the Commissioners? We very  
16 much appreciate your presentation.

17 MS. HAUSMAN: Thank you.

18 HON. LYTLE: And now I understand the  
19 Chair of the San Jose Human Relations Commission is  
20 here, Mr. Don Black.

21 DON BLACK: Good afternoon, pardon my  
22 tardiness. I am currently the chair of the San Jose  
23 Human Rights Committee, soon to be the Human Rights  
24 Commission. In preparation for this presentation, I  
25 may review some data I would like to share with you.

1           In 1989, from January 1 to date, there  
2    were 56 reported incidents of racially motivated  
3    violence. They involved victims that were as young  
4    as one year old, a young white male, and as old as 49  
5    years old, a black male.

6           The suspects were as young as 9 years old,  
7    a black female. And as old as 59 years old, a black  
8    male. Weapons of choice varied -- everything from  
9    fists to knives to guns.

10           San Jose Police Department which some  
11    years ago was in the center of some rather shocking  
12    racial incidents, and as a result of that, the  
13    administration took it upon themselves to issue a new  
14    manual section which it pretty much did.

15           The city has initiated a process of cross-  
16    cultural training. It has several positives in that  
17    people get a chance to get away, get a chance to vent  
18    some of these things that have culminated, get a  
19    chance to see each other in a nonhostile setting.  
20    Perhaps the largest negative of the current cross-  
21    cultural training mode is that generally those people  
22    who need to be there are never there. There are some  
23    major problems. One of the recommendations of the  
24    Human Rights Committee we'll be making in calendar  
25    year 1990, will be that cross-cultural training

1                   becomes a city process, department by department.

2                   As the young lady from the Anti-Defamation  
3                   League said, skinheads are a major problem in San  
4                   Jose. There maybe as few as ten hardcore  
5                   identifiable skinheads and probably as many as 30 to  
6                   40 what I would identify as "wannabees", but they  
7                   should never be underestimated in terms of their  
8                   potential violence and for wanting to earn a  
9                   reputation -- I think the term is, "earn their  
10                  bones."

11                  Organizationally, one of the  
12                  recommendations is going to come out from the Human  
13                  Rights Committee is that we engage in the process of  
14                  reviewing transfers, promotions, those sorts of  
15                  things to remove what one of our members called the  
16                  "glass ceiling" whereby the departments within the  
17                  City of San Jose that people have colored them and  
18                  simply never advanced beyond a certain level. I hear  
19                  San Francisco has the same problem and it's a major  
20                  problem. We are experiencing that in San Jose. We  
21                  have made a recommendation and we are going to try to  
22                  press it for the City of San Jose, that we go into a  
23                  hiring mode that we attempt to find people that are  
24                  bilingual.

25                  Some information came to us that by the

1 year 2010 the working force will probably be 75  
2 percent or more multicultural people and women. We  
3 hope that the working force could be 30 percent  
4 bilingual, not only English to Spanish, but English  
5 to Thai, English to Vietnamese, Laotian, Cambodian  
6 and such. One of the members of our committee  
7 suggested quite strongly, was that if at all  
8 possible, there should be creation or the re-creation  
9 of the state's often sometimes racial harassment,  
10 sexual harassment cannot be acted upon. It's a  
11 process but indicating she knows some people who have  
12 experienced quite a bit of harassment anger and they  
13 had no place to go.

14 One of our contacts who is with the Santa  
15 Clara School Board, we intend to initiate a process  
16 of cross-cultural training, hopefully starting in  
17 kindergarten and going through 12th grade.

18 And finally, one of our major concerns  
19 because our community is multicultural, is we are  
20 concerned with the current problems created by the  
21 INS.

22 Before coming up here today, I was stopped  
23 by someone who was absolutely livid. I don't know if  
24 the information is correct, haven't had a chance to  
25 check it out, but I'll devote time next week, but

1 what he said was that some INS agents were posing as  
2 census takers to gain information and documentation  
3 as to where undocumented people may be residing. I  
4 don't know -- don't quote me, I don't know if it's  
5 true or not, but if it is, that's insidious. What I  
6 plan to do in the next four or five working days is  
7 to review my notes and to make a one-sheet summary  
8 and give it to Lola Acosta.

9 And finally I was ordered by the members  
10 of my committee to offer you an invitation to conduct  
11 one of your meetings in 1990 in San Jose. We would  
12 be happy to have you. Questions, please?

13 HON. LYTLE: Thank you very much, but I'm  
14 sure that the head of staff, Marty Mercado, would  
15 have a screaming fit if we promised we would be in  
16 San Jose. But we do appreciate your presentation.

17 Are there any questions?

18 MR. LINDSTROM: It's good to see someone  
19 else here from San Jose. Is San Jose coordinating  
20 any efforts, with regard to hate violence, County  
21 Commission on Human Relations because they have a  
22 hate law?

23 MR. BLACK: Yes, we are in the process of  
24 getting some of our housecleaning done, and once we  
25 get our house a little neater we'll be contacting

1 you. As you know, when you form a committee there  
2 are going to be elections and new officers, and some  
3 things are kind of jumbled.

4 MR. LINDSTROM: You spoke about re-  
5 creating a statement -- do you know of any at the  
6 local level and how is it working?

7 MR. BLACK: I heard that some years ago  
8 there was a statement, there is one in the City of  
9 San Jose that worked very well. Don't quote me -- I  
10 think it worked too well, and the money became funny.  
11 It was dissolved because the answers didn't have to  
12 work through the political loops or he could go out  
13 and seek out the truth, document it and make  
14 recommendations, very strong recommendations, and  
15 point you in that direction to go seek help, and  
16 didn't have to worry about offending a mayor or a  
17 chief of police, or a fire chief.

18 HON. RODRIGUEZ: Do you know what year  
19 that was in San Jose and what kind of budget that  
20 allowed?

21 MR. BLACK: I don't know anything about  
22 the budget -- I have difficulty balancing my  
23 checkbook. Probably '74 to '76, '77.

24 MS. CASTRO: Early this morning someone  
25 talked about the desegregation efforts or whether

1 there was a procession in San Jose in regards to the  
2 court required desegregation. A couple of issues  
3 that I'd like to raise, and perhaps you can feed back  
4 on them, is that that case in particular was around  
5 San Jose High School. San Jose High School continues  
6 to be more segregated than ever before. Has there  
7 been a tangible program that maybe has lent some  
8 credibility to the desegregation efforts and, two,  
9 why hasn't it worked at San Jose High School?

10 MR. BLACK: I think the reason it hasn't  
11 worked at San Jose High is that people of color are  
12 still viewed as "those people" and other people in  
13 this culture don't want to be around them. There  
14 have been some successes in San Jose, that's  
15 primarily been the magnate schools -- San Jose High.

16 When I got to San Jose in 1966, it had an  
17 extremely negative reputation. The current principal  
18 has turned it around in the last two years so it's  
19 one of the better high schools there. But to respond  
20 to you, I think the magnate schools are the most  
21 successful. Overfelt School (phonetic) is one  
22 thought of as a school given the opportunity, given  
23 the money, qualifying a dedicated staff, given a  
24 school principal who draws a line that there will be  
25 no excuse.

1 MS. CASTRO: So basically you're putting  
2 magnate school concepts versus the human relations  
3 program that may have been instituted?

4 MR. BLACK: Yes.

5 MS. CASTRO: I ask that question because I  
6 think we need to assess that when we hear somebody  
7 talking about the wonderful desegregation efforts  
8 that have gone on in San Jose.

9 MR. BLACK: If you were to ask me my own  
10 opinion of school desegregation, I think it's been  
11 -- to afford me the opportunity to go to school in  
12 Los Altos Hills is fine, but once I'm there if I  
13 don't study or perform, it's a waste of time.

14 MS. CASTRO: Thank you.

15 HON. LYTLE: Any other questions?

16 Thank you again, Mr. Black.

17 And now we have heard from all of the  
18 speakers who were scheduled to speak today, and we're  
19 at this part of the hearing which is devoted to those  
20 people who were not scheduled to speak, but who are  
21 present and desire to speak.

22 We want to give five minutes to each  
23 person. Now I have the name of a person who does  
24 wish to speak at this point, and her name is Ms.  
25 Aurora Rodriguez.

1                   AURORA RODRIGUEZ: I am Aurora Rodriguez  
2 and I am here with the Mexican-American Political  
3 Association and MAPA, who is on the schedule at 4:00  
4 p.m., but the speaker who was supposed to be here was  
5 Rudy Rodriguez and he was the one that was not able  
6 to be here, but MAPA was on the schedule.

7                   I would like to first -- my testimony will  
8 deal with the racial policies that are not  
9 implemented in the schools. And I will just try to  
10 keep it as brief as I can.

11                  I don't know if I should mention I teach  
12 for them. I have become quite familiar with many of  
13 their policies, and some of the things that have  
14 happened in the district are that when parents and  
15 students complain about something, that's when the  
16 policies are brought out, and they are told, "We  
17 don't tolerate that," like we do have a policy that  
18 says we should not be doing that.

19                  However, because of repeated incidents  
20 these parents of the district felt that there were  
21 patterns of inconsistencies and different treatment  
22 for minority students. So a very strong parent group  
23 was formed and this parent group brought charges of  
24 discrimination against the district, which have been  
25 filed.

1                   Now, I am not representing that parent  
2 group, but I will make reference to it from time to  
3 time. Some of the things, and I know many of these  
4 parents because I have actually taught some of their  
5 children in the district, and I do know some of the  
6 students and I do recognize their frustrations.

7                   Many of these parents call me, many of  
8 them are Spanish speaking and cannot understand  
9 English. One of these things this parents group did  
10 was present a revised admissions statement after  
11 final charge was given. They have also revised the  
12 admission statement the district presently has which  
13 was rather short and somewhat vague. They spent many  
14 hours and many meetings revising it and making it  
15 more specific. It is before the district right now.

16                  Last spring I became very involved with  
17 one parent who asked me to be an advocate for them at  
18 a hearing. And I became, at that time, very familiar  
19 with the hearings and panels hearing charges brought  
20 against students, charges of expulsion, suspension,  
21 etcetera.

22                  So through that parent that had been  
23 through hearings, brought out things that needed some  
24 looking at. And that was that in addition to being  
25 very intimidating -- and I guess that cannot be

1       helped because the law does call for the panel  
2       hearings to be made up of nothing but administrators  
3       -- but there are some things that can be remedied.  
4       And one of those is that at these hearings the  
5       parents have no advocate and they have no interpreter  
6       and most of them do not have any prior knowledge of  
7       what charges are being brought against the student,  
8       their offspring. They know that they are being  
9       expelled, but they don't know the specifics in many  
10      instances.

11           I found out that the district does have a  
12       form letter it sends out, but it is so full of  
13       language that the average parent would not  
14       understand. I appealed to the district to make it a  
15       little bit more simplified and in more layman's  
16       terms, and in fact, to interpret it in whatever the  
17       native language is of that family. In many instances  
18       it's Spanish speaking, and that parent doesn't speak  
19       a word of English.

20           Other instances that we found were, last  
21       spring a parent had to attend a parent's conference,  
22       not the panel hearing, but this is a parent  
23       conference at one of the schools, and her son was  
24       being recommended for expulsion. And the parent did  
25       not speak a word of English. There were four

1        administrators in the room, and her son and her, and  
2        everything was held in English. Later when we  
3        questioned the administrators on it, their answer  
4        was, "Well, she didn't ask for an interpreter." How  
5        could she have asked for an interpreter if she  
6        doesn't speak English.

7                Inconsistencies are that the students are  
8        being treated more harshly than other minorities.  
9        And most recently a Spanish-speaking student was  
10       placed in a continuation school, but was placed on a  
11       contract and the Spanish-speaking mother who spoke no  
12       English wanted to know why he was at that school on a  
13       contract and the others in that school are not on a  
14       contract. And she is questioning this and the  
15       student has already broken that contract, so he's up  
16       for expulsion. Again, these are the types of  
17       inconsistencies that the parents are becoming very  
18       frustrated with.

19               Other things are that when their offspring  
20       do get into trouble in school, they want to know why  
21       the police are brought in so quickly. They feel that  
22       there are a lot of other fracases and fights,  
23       whatever, at the school, and the other nonminorities  
24       are not immediately hauled off to jail.

25               Other questions are, if you are going to

1 haul off my son or daughter to jail, why aren't you  
2 called in? In one case, the son is taken off to jail  
3 at 11:30 in the morning, and the parent did not find  
4 out about it until 1:00 p.m. at work, and then when  
5 she tried to make contact with the police, they said,  
6 "We're not baby-sitters, he's down in Juvenile Hall,  
7 and now you'll have to go down there." And she said,  
8 "I'm in San Francisco and it will take me an hour and  
9 15 minutes to get there, can't you call them and tell  
10 them to wait for me?" So they told her, "Oh, you  
11 don't have to worry, at Juvie Hall you can get in and  
12 out anytime you want." And she went down there and  
13 spent a very frustrating evening because when she got  
14 there they told her not to rush, in the first place,  
15 and when she got there she was never able to get him  
16 out, so he spent the night in Juvie Hall.

17 There is just horror case after horror  
18 case relating to parents and students. It's also  
19 frustrating because oftentimes we cannot even depend  
20 on federal investigative bodies because even though  
21 they are charged with the investigation, they come in  
22 and they interview all -- all of the people that are  
23 not violating anything, and then we try to present  
24 our parents for interviews -- they're not interested  
25 in interviewing those particular ones. So that's

1 just very frustrating, too, to deal with a body like  
2 that.

3 One of the things that we have been  
4 successful in is that as a consequence of everything  
5 that we went through last spring and several minority  
6 students being recommended for expulsion, and dealing  
7 with hearings, etcetera, and in bringing to the  
8 district, to their attention that the panel, the  
9 parents packet booklet was not working out, that the  
10 Spanish-speaking couldn't understand. The success of  
11 that is that this year they do have a -- the first  
12 time in the Mt. Diablo School District's history --  
13 they do have a Parent Information Packet, and it's  
14 fresh off the press -- here it is, all in Spanish.

15 So we were very, very happy about that and  
16 the district is also. There are members of the  
17 district, district officials that are trying very  
18 hard, and we have met with them and we feel that in a  
19 lot of instances maybe the people at the top are not  
20 just aware of what's going on down below. And when I  
21 say "down below" it includes clerical staff,  
22 uncertificated and unclassified staff. And the  
23 district has a policy, I don't know if you have it  
24 before you -- the district was here testifying this  
25 morning, but we have a racial and sexual harassment

1 policy, personal certificated rights and  
2 responsibilities.

3 Employees and students of the Mt. Diablo  
4 School District must be able to function in a  
5 harassment-free environment. This is to be  
6 interpreted to mean that the district does not  
7 condone behavior from its employees or students to,  
8 one, racially or sexually -- inappropriate harassing  
9 refers to sexual favors or acts that are physical,  
10 etcetera, etcetera, etcetera. The district's policy  
11 is that sexual and racial harassment are unacceptable  
12 behavior. Discrimination complaint procedures should  
13 be used to investigate and resolve allegations of  
14 harassment.

15 Last spring we had a student that slapped  
16 a girl with an open hand and the teacher, who did not  
17 like him too much anyway, testified to the police  
18 that the student punched her with a fist. On the  
19 basis of this, the police arrested the individual and  
20 he was sent off to jail. Later it was proven that  
21 -- or rather later the teacher recanted and said it  
22 was not a fist, but it was a slap. But it was  
23 already on the youngster's record and that was the  
24 end of that.

25 Those are some of the questions that the

1 parents have with the students -- when the students  
2 are found in violation, the suspension and expulsion,  
3 but they want to know what happens to the behavior.  
4 I have just a couple of articles to give you, and  
5 that pertains to some of our success cases, some of  
6 our students that we've been able to save from being  
7 expelled, and now they're doing very well in school.

8 HON. LYTLE: Thank you very much. We'd  
9 like to have them. Are there any questions?

10 HON. RODRIGUEZ: You said this is with the  
11 Mt. Diablo School District? They didn't testify this  
12 morning, did they?

13 HON. LYTLE: Yes, they did. We heard from  
14 the Mt. Diablo School District this morning.

15 Thank you, again. Do we have anyone else  
16 in the audience who would like to make a brief  
17 presentation?

18 MR. VINCE REYES: Yes. I am Vince Reyes,  
19 and I am the Alameda County Multi-Cultural, Multi-  
20 Lingual Coordinator for the County Services. I am  
21 newly appointed to this position, and I have been  
22 there for two and a half months. It came about as a  
23 result of community pressure on Alameda County to  
24 establish an office which would oversee the lack of  
25 culturally sensitive and language accessible services

1 for the county.

2 I would just like to say, I've been  
3 listening to all of today's testimony. It's been a  
4 good experience for me to get a lot of ideas to try  
5 to incorporate some of the things that were said here  
6 today into what we do in Alameda County as far as  
7 trying to provide better services.

8 One thing I would -- have observed within  
9 Alameda County in the short time that I have been  
10 there, there is not a consistent way in which any  
11 kind of -- shall we say punishment, is doled out to  
12 acts of discrimination, although EEO regulations do  
13 exist. One example I have is the first week I was  
14 here in July at Highland Hospital, which is our  
15 county hospital, a black, homeless man, who was a  
16 substance abuser was dressed up, almost in clown-  
17 like fashion, and brought to an upscale party of  
18 hospital professionals, including doctors, simply  
19 because they thought it would be an amusing thing to  
20 do.

21 The county and hospital administrators did  
22 come down on these individuals, but I don't think the  
23 punishment quite fit the crime. The doctor who  
24 perpetrated this whole prank, was not dismissed and,  
25 in fact, he was given a slap on the wrist and had to

1 go through culturally sensitive training.

2 I think any professional who provides  
3 services to the medically indigent and sees people  
4 like this day in and day out, maybe should not be  
5 practicing, or at least a slap on the wrist is not  
6 enough punishment.

7 In the third week I was there, a sexist  
8 cartoon was passed around one of the department  
9 offices, and this seems like a likely thing to happen  
10 in a big bureaucracy.

11 One positive thing that I did see was that  
12 the Board of Supervisors did put up a \$10,000 reward  
13 for the cross-burning incident that happened in San  
14 Leandro a couple of weeks ago. Among the ideas I got  
15 here today, there has to be a lot more than just a  
16 reaction to racial hatred or racial violence that  
17 occurs. Although I think it's good to put reward  
18 money up, I also think it's a good idea to put that  
19 kind of money into cross-cultural training, or  
20 cultural sensitivity classes for departments in our  
21 county, which means that this is going to be under my  
22 purview. I am going to push that Alameda County  
23 does, in fact, implement some sort of mandatory  
24 cross-cultural training, department by department, in  
25 order that we can better serve the public and get

1 along with each other just within our own  
2 departments.

3 So I commend the Commission for having  
4 this. It's really quite a service to the community  
5 and quite a service to those of us who have listened  
6 and testified because there's a lot of ideas we can  
7 bring back to our own areas. So I hope to work more  
8 closely with you, the Commission.

9 HON. LYTLE: Thank you very much.

10 Are there any questions?

11 MS. YU: Before you go, first of all, I'd  
12 like to welcome you to Alameda. This happens to be  
13 my home county. Do you have a staff of any size at  
14 this point?

15 MR. REYES: I have a secretary at this  
16 point.

17 MS. YU: So it sounds like they're  
18 expecting you to do quite a lot, you're expecting a  
19 lot of yourself. Have you found so far that the  
20 other agencies, the law enforcement and social  
21 service and education agencies, what have you -- have  
22 they been receptive and cooperative? How would you  
23 characterize it?

24 MR. REYES: I think there's quite a thirst  
25 to improve services, but I think there is an

1 inconsistent application of proper circumstances.  
2 For instance, at Highland Hospital there just aren't  
3 enough translators to implement services. So when  
4 that happens, many minorities may have to wait for  
5 -- non-English-speaking people have to wait hours for  
6 service, or wait until there is a translator  
7 available for them. Sometimes they leave. So that's  
8 the kind of process that goes on. But I think in  
9 general, most people are open to many ideas, but  
10 there is a lack of resources and lack of coordination  
11 to do those things.

12 HON. LYTLE: Any further questions?

13 Thank you. We're at the stage when the  
14 Commissioners are given an opportunity to speak, most  
15 particularly with regard to any recommendations  
16 you've got in mind. I was hoping we could get that  
17 done by 5:00; we live and hope.

18 I thought I'd start by going around the  
19 room, perhaps with Commissioner Diane Yu first --  
20 should have warned you, huh?

21 MS. YU: I always go last because my name  
22 is at the end of the alphabet, but I am prepared.

23 First of all, to see all the fellow  
24 Commissioners again, it's been too long. Secondly,  
25 it is both heartening and discouraging to attend a

1 hearing of this nature. We have had 23, 24 excellent  
2 local witnesses. Some have brought some good news,  
3 some have brought some news with mixed results, and  
4 others, unfortunately, are still reporting that the  
5 problems that first generated the creation of this  
6 Commission still exist with us, and in fact, are  
7 increasing.

8 I think that among the ideas that I've  
9 learned from today's hearing include perhaps a way to  
10 pursue the funding problem with respect to looking at  
11 the conflict resolution, \$3 county filing fee issue,  
12 which I'm not sure we really tended to before, but  
13 that is a potential source of income, not just for  
14 Contra Costa County, but other counties also. I  
15 learned that when you have strong leadership and I  
16 guess that we've always assumed this, whether it's  
17 the superintendents of schools, police chiefs,  
18 sheriff, or the head prosecutor in the DA's office,  
19 that there is at least a start possible in terms of  
20 bringing the number of groups together.

21 I think it's very clear that no one  
22 agency, no one entity, no one organization can handle  
23 these kinds of problems alone. They effect too many  
24 people and the attitudes and prejudices are far to  
25 deep seated to be able to rule out with one cosmetic

1 program here or there. It's a long-term effort.

2 I would uphold that the efforts of this  
3 Commission, even though we are technically out of  
4 business in terms of our ongoing work, would at least  
5 be reactivated from time to time to do this kind of  
6 update, because it is important to keep the attention  
7 of both the agencies in communities and the press and  
8 public on what is happening, both good and bad.

9 So I think we do have a terrific  
10 opportunity to hear from different elements of the  
11 population. I certainly want to commend the staff  
12 for their usual outstanding job, especially Marty, in  
13 terms of gathering together a representative group of  
14 people for us to learn from, and I will be anxious to  
15 see the draft and the report when it comes out in a  
16 few months. And any additional ideas I would be  
17 happy to contribute.

18 HON. LYTLE: Thank you.

19 Judge Rodriguez, please?

20 HON. RODRIGUEZ: I just would comment that  
21 what I kept hearing, I was talking to Vincent earlier  
22 about where we were, and I feel like we are right  
23 back where we started. We started looking for  
24 positive results and instead of hearing just negative  
25 reports -- more incidents which occurred were

1 documented, which we made in the report that there  
2 was an occasional positive response to this  
3 situation. Which means if we were to take a measure  
4 of the recommendations that we made to the  
5 legislature through the DA's office, that in spite of  
6 the ones that were not passed, in spite of the ones  
7 that were not funded, we still had a pretty good  
8 batting average.

9 I came away with the feeling, also, that  
10 the people that appeared here today that are very  
11 happy that there is a committee around so they can  
12 bounce these ideas off of us, at least with the  
13 expectations that somebody with some authority is  
14 listening. I also feel that we've still got a long  
15 way to go to get to the problems, because they seem  
16 to be getting worse and perhaps it's because of the  
17 work to be done, i.e., more and better reporting.  
18 But I think that's a part of social change, and I  
19 think all of us are oriented to bringing and seeing  
20 change in an abrupt manner, that is, rather rapidly.

21 But the social change we are wanting only  
22 comes with time. And so I am not completely  
23 discouraged. I am happy about the work we have done,  
24 except the job is still unfinished.

25 HON. LYTLE: Thank you.

1                   Irma, please?

2                   MS. CASTRO: I started saying some things  
3                   earlier and I still strongly believe that local  
4                   leadership is an important part. I think that one  
5                   thing, though, that really came home today is that -  
6                   -and I'm going to take my community, because I know  
7                   it the best -- is that I constantly feel like I'm  
8                   under siege, and a lot of it is having to do with  
9                   what appears to be the continuance of racist behavior  
10                  at public institutions, protective institutions.

11                  Certainly hearing about the way in which  
12                  school districts reinforce -- or the personnel within  
13                  school districts reinforce the behavior, so that the  
14                  public somehow assumes it is okay. Therefore, it's  
15                  okay to go out and kill a few folks, or hurt a few  
16                  folks, or jump a few folks -- it's really ingrained  
17                  and it's something that hurts very much.

18                  We haven't been able to attack some of the  
19                  public institutions whether it be law enforcement --  
20                  and hearing what INS is doing, it is not rare, but  
21                  that whole kind of issue around where public  
22                  institutions are, and how in fact, whether on one  
23                  side they may be filing in the boxes which says this  
24                  is a hate violence crime, but on the other hand -- on  
25                  the other end of it, the person that may be filing it

1       our, or their supervisor, or their cohort, is  
2       continuing to behave in a racist way. That, in fact,  
3       continues to perpetrate it. It is very, very  
4       difficult, but I think that's a part of where we need  
5       to start to continue. We need to continue to focus,  
6       and that is what, in fact, we can do.

7               The second thing -- and let me talk about  
8       two things I noticed today, and it's a little bit  
9       about why it makes it difficult to deal in this  
10      particular area. I have a great deal of concern  
11      about segregating people of color, and offering one  
12      group a service and another group not a service. And  
13      that is constantly played on, particularly groups  
14      where there is this type of violence going on. And  
15      someone will give lots of money and attention to gay  
16      lesbian rights and not anything to the blacks. And  
17      someone will run over to the blacks and not do  
18      anything for gays. It just goes on in kind of a way  
19      that doesn't really benefit what we need to do, until  
20      we find ourselves fragmented in our efforts.

21               But accompanying that and particularly the  
22      comments that were made by the man from the  
23      Department of Social Services, if you have charge of  
24      a division in which you have both refugees and  
25      immigrants, why are you offering a multi-cultural

1 training for your staff for one group, but not for  
2 another? And you can put it down to an issue of  
3 funding because he finally told me that's what it  
4 was. But it doesn't seem like it has to be a massive  
5 amount of money, but somehow this notion that you're  
6 mandated to do it for one group but not another.

7 Therefore, we do what's absolutely -- only  
8 do what we have to do, but not what we should be  
9 doing. Again, how do we influence another state  
10 department that, in fact, could be very beneficial in  
11 some of its resources.

12 Second point around those things about  
13 institutions is this whole issue of San Jose High  
14 School. This morning, glowing reports about how  
15 wonderful this desegregation has been in the San Jose  
16 School District, and they must be doing all these  
17 wonderful things, and yet the one school that happens  
18 to be the most segregated, the very school that  
19 triggered the whole case, is San Jose High School.  
20 And somehow looking when we see these things, is to  
21 be able to say, "Let's look at reports, let's flush  
22 out of them what we think may be useful." But also  
23 understand that they did not take care of an issue.  
24 It will work for some people, it didn't work for all,  
25 it didn't work for a whole community.

1                   At some point, you're starting to hear the  
2 frustration. I get very frustrated with this whole  
3 thing. It's living in a world that I'm not sure we  
4 all want to live in, but I don't know how we shape it  
5 up, how we make some things happen.

6                   And I know that that was very long-winded,  
7 and I'm sorry, but I love all of you because you've  
8 been wonderful for so many years.

9                   HON. LYTLE: Thank you, Irma.

10                  MR. HARVIER: My name is Vincent Harvier,  
11 and it's been good to be with you people again, the  
12 Commissioners here. It's been both rewarding and a  
13 little bit of a downer today. I guess one of the  
14 things that I keep going back to is what was said  
15 this morning combined with the rest of the testimony  
16 that was given. He sort of said the rest of the  
17 game, and he sort of made a comment that I was  
18 enjoying the day until I heard this. But it really  
19 didn't, it's just a figure of speech.

20                  One of the things that I think Mr.  
21 Rodriguez and I were talking about earlier was the  
22 fact that this racial thing, in that we do have a  
23 long way to go in correcting this treatment, bringing  
24 about change, and I think right now I've got to  
25 force myself to be -- I don't want to say happy, I

1 have to accept to what degree we've moved in that  
2 direction and correct it for now. Because I think  
3 some of the positive things that we've heard is the  
4 fact that some of these ideas, these recommendations  
5 were actually implemented. I sort of really felt for  
6 Mr. Lo from Stockton, because I got a completely  
7 different message from him than what was discussed  
8 here.

9 One of the things that I got from Mr. Lo  
10 is the fact that the community in Stockton was not  
11 aware that some of these agencies are supposed to be  
12 providing services, and our colleague here indicated  
13 that it should be in their training, some of their  
14 training to take care of the problems that's a  
15 culture, that's part of the culture, part of the  
16 training. I believe he's faced with a completely,  
17 totally different change of a way of living, a  
18 cultural change.

19 Back in 1950 our people went through the  
20 same things. Federal government implemented a plan  
21 for relocation of American Indian reservations. We  
22 were going to do away completely with the  
23 reservations. We took people by trainloads,  
24 actually, to different cities -- Chicago, Seattle,  
25 Los Angeles, San Francisco -- and just dumped them

1 there.

2 Some of these people didn't know how to  
3 use the bus system or telephones. They went as far  
4 as getting them jobs, but didn't say it was a five  
5 day, 40-hour work week or, "If you get sick you  
6 should call. If you get sick, here are the agencies  
7 to call. If somebody dies, this is what you do if  
8 you don't have the money to provide the necessary  
9 funeral expenses."

10 And it took a tragedy in Denver, it took a  
11 tragedy for the American Indian movement, which I  
12 directed at the time, to point this out to the  
13 federal people, and to the non-Indian community.

14 There was a family whose father was ill,  
15 had pneumonia, and couldn't go to work. But he  
16 didn't know that he had to call in, he didn't even  
17 know how to call in. And he died and the body froze  
18 in the apartment and it was at that point that we put  
19 together a family training program to teach these  
20 people how to use the welfare system, county service  
21 systems.

22 So I can really relate to what this man is  
23 talking about. I haven't forgotten that. It's still  
24 right here because I witnessed it. And I think there  
25 is a failure on the part of the people that are

1 supposed to be providing the services to this  
2 community. There is a failure to bring this to them,  
3 and I think they needed to be reminded today that --  
4 don't come here and tell me that these are the things  
5 that we're doing, these are projects we are funded to  
6 do and not do them.

7 I have a question in my mind yet where  
8 this agency is, that's supposed to be representing  
9 the immigrants, whether they're illegal or whatever.  
10 I wonder where that agency is. I have never seen  
11 them. Refugees and illegal people who are trying to  
12 recover and the services aren't there, the services  
13 aren't there, so I leave here with a lot of  
14 questions.

15 But again, I feel good about some of the  
16 results that were mentioned. Thank you.

17 HON. LYTLE: Thank you.

18 MR. LINDSTROM: I'm Carl Lindstrom and I'm  
19 not formally a part of this Commission, but I thank  
20 you for the opportunity to sit here.

21 I'm actively representing the  
22 Asian/Pacific Islander Advisory Commission. Right  
23 now I don't have a history that everyone has as far  
24 as all of the work that has been done by the  
25 committee, but I really learned a lot from today's

1 hearing. And I can see that the work has been done,  
2 and the Commission has been fruitful in bringing  
3 about, at least a step towards bringing about some  
4 change here.

5 The frustrating part is that it's really  
6 symptomatic of the law enforcement agencies and  
7 everything else. They have a much deeper problem,  
8 which is a broader societal problem that embraces the  
9 attitude that racism doesn't come from the schools  
10 -- it develops when people are born. One of the  
11 things that I really noted though, was where the  
12 focus seems to be by some speakers that with multi-  
13 cultural training that it's for the community at  
14 large, agencies to learn about the various groups  
15 that they're serving. I think that's a very  
16 important point, but I wholeheartedly agree with  
17 Vincent that the community has to become self-reliant  
18 in a sense.

19 There has to be an educational push into  
20 those communities to develop leadership in these  
21 communities so they can take care of themselves. And  
22 when it comes to the points that the community is not  
23 able to take of, some of these problems, then the  
24 service is provided. Because I think the first link  
25 is with your own community.

1           I was a little disappointed, as a matter  
2 of fact, with the answers that were given, especially  
3 from some of the persons that were providing  
4 training, because I don't think they gave good  
5 answers as to what the sources of the information  
6 they were using for their training was. I think  
7 that's important because, again, we're instilling  
8 attitudes in people who were providing services, or  
9 protection for various aspects of the community.

10           The information they received impacts on  
11 the attitudes they develop. So when we get generic  
12 terms, or universal types of training, I don't see  
13 how that can necessarily be that effective. I hope  
14 there will be more follow-up by this Commission into  
15 looking at the curriculum that's being utilized and  
16 the materials that are being used to form the  
17 opinions of, especially law enforcement officers.

18           One thing I would like to see get expanded  
19 upon more, and that is the question of the probation  
20 department. As an attorney, I get involved quite  
21 extensively with a lot of juvenile cases and  
22 especially ethnic minorities who are involved in the  
23 juvenile system. I mean they are in many cases, in  
24 many cases robbed of the opportunity to survive in  
25 the system because they are basically warehoused by

1 being sent away to CYA, the Ranch, or something else.  
2 They are denied an ability to receive an education,  
3 denied the sensitivity to look at their particular  
4 fault facing them, and to work towards real solutions  
5 because the juvenile system of justice, in the first  
6 place, is in a state of disarray. So I think that is  
7 another area I hope this Commission will examine.

8 Again, if we look at how our youth is  
9 being dealt with in that system, they'll become  
10 adult offenders later by and large.

11 I am grateful to have the opportunity here  
12 because I think this type of Commission is very  
13 important and Diane's statement that we should keep  
14 meeting and updating ourselves on what progress has  
15 been made, is very good. Thank you.

16 HON. LYTLE: Thank you, Carl.

17 I just have three very brief points to  
18 make.

19 It's been a personal satisfaction to me to  
20 serve on this Commission, not only because I got a  
21 chance to serve with all of you, but I've had the  
22 opportunity to see the Governor's Task Force produce  
23 the Attorney General's Commission. And one of the  
24 criticisms we received when we were going around with  
25 the Governor's Task Force was that -- all right, you

1 will write a report and you'll file it away and  
2 nobody will do anything. And we did something, and I  
3 echo all the sentiments expressed here, even though  
4 we all expressed all those optimistic sentiments with  
5 a heavy heart, so to speak, because we know how much  
6 and how much further we have to go.

7 The second point I want to make is to  
8 acknowledge the role of the members of what I call  
9 the victim communities in the area of hate violence,  
10 and acknowledge how important that role is. But to  
11 caution all people who are concerned about this  
12 matter of hate violence to remember that the burden  
13 should not be exclusively on the victim communities.  
14 We must extend ourselves to protect ourselves as the  
15 members of the community who spoke here so eloquently  
16 stated. But we must not take government and the  
17 private institutions of the nation off the hook.  
18 It's really not our problem. When a person is  
19 robbed, we don't say, "Well, that's his problem." We  
20 call that an offense against the government, and when  
21 that person is robbed it's the people of the State of  
22 California versus that person. That's the outlook we  
23 must force upon the governmental and private  
24 institutions of this nation.

25 And the third point I want to make is I

1 think another caution is in order. We're in an era  
2 of deficit. We hear "Deficit this, deficit that --  
3 we don't have money for this, we don't have money for  
4 that." The fact of the matter is we do have money.  
5 This is still a very wealthy country. What we do  
6 lack is the will to allocate those resources and what  
7 we lack also, is the will to tax people in an  
8 equitable fashion. And there are bills of  
9 uncollected tax funds out there that we don't collect  
10 because we don't have the will to create an equitable  
11 tax system. And that's been an excellent excuse for  
12 far too many years for government to fail to provide  
13 the protection that government, and only government,  
14 can provide.

15 And with that, let me note that although  
16 Marty says we'll not have any more public hearings, I  
17 do hope we can have some more meetings -- if only on  
18 the speaker-phone, or conference calls, conferences.  
19 But if I don't get to see any of you for a long  
20 while, please let me express my pleasure, and indeed  
21 the honor, to serve with you on this Commission.

22 Thank you.

23 MS. MERCADO: And now it's my turn. Let  
24 me just say right off the bat, in response to that  
25 that certainly can be a recommendation to the

1 Attorney General that we can continue some form of  
2 body, such as the Commission. He's continued that  
3 because of the time line.

4 As we indicated at the start of the  
5 hearing, the report must be to the Attorney General  
6 by January, early February. So there's no time for  
7 additional hearings. That does not mean that we  
8 cannot recommend to him the continuation of this  
9 Commission, or another similar body.

10 Let me just say how pleased I am to see  
11 all of you today. Some of you I have not seen for at  
12 least a couple of years, and it's just been a joy.  
13 From time to time, depending on the occasion, I have  
14 told Attorney General Van de Kamp what an excellent  
15 job he did in selecting all of you to serve on this  
16 Commission. You reinforced that today. I was very  
17 impressed and just delighted with the insight that  
18 you have in eliciting the kind of information we  
19 wanted from the witnesses that will help us to  
20 formulate those recommendations that you will be  
21 making to him.

22 I was impressed with the testimony we  
23 heard. Several good recommendations were made. I  
24 want to -- I have been given a lot of credit today,  
25 and really it's the staff. We have contracted with

1 Human Rights Associates as you know, and Lynette and  
2 Trish will have the primary responsibility for  
3 drafting the report. Lola Acosta of my staff, too,  
4 has been in contact with many of you. But I just  
5 want to reiterate again how impressed I have been and  
6 how privileged I feel to have had the opportunity to  
7 work with you.

8                   Some of the Commissioners made some  
9 recommendations, and I don't want us to lose them.  
10 Irma, when we had a break -- I'm not going to try to  
11 repeat it, because I know it's in the record and that  
12 helps us. Judge Rodriguez, perhaps a recommendation  
13 could be that we embark on a series of public service  
14 announcements, and other things of that nature, to  
15 increase public awareness.

16                   Commissioner Kassoy, before he left, gave  
17 me a suggestion which, if you will permit me to read  
18 it into the record, because certainly this sounds  
19 like a great recommendation. I believe all of you  
20 received copies of the Asian/Pacific Islanders  
21 Advisory Report will note that in the hate crime  
22 section they did reiterate the recommendation that  
23 was made by this Commission.

24                   They, of course, went further and  
25 recommended other commissions -- other

1 recommendations, and talked about the training, not  
2 only for law enforcement, school administrators,  
3 district attorneys and so forth, but when down the  
4 list and this is what David was talking about. More  
5 additional training. He suggested we send a letter  
6 to principal organizations concerned with continuing  
7 education of lawyers and those who have particular  
8 interests in vindicating the civil rights of  
9 minorities, urging them to conduct seminars and  
10 courses on civil remedies created by the Ralph Civil  
11 Rights Act, and the new Bane Civil Rights Act that  
12 can be used by plaintiffs' lawyers to incur damages  
13 by hate crime victims.

14 Judge Lytle also suggested that the same  
15 kind of training for the judicial law and the  
16 Asian/Pacific Islander Advisory Commission had  
17 similar recommendations. And I think this certainly  
18 should be a part of the recommendations. What we  
19 will do as soon as we have some draft  
20 recommendations, those will be circulated to you and  
21 if need be, perhaps we can set up a conference call,  
22 or I will see how we can deal with it.

23 The problem is there's a very short time  
24 limit that we have to do all of these things in, but  
25 we will make sure that we get your input.

1                   Again, thank you for your participation on  
2 this Commission. I know that John Van de Kamp feels  
3 very proud, particularly when we hear reference by  
4 those witnesses today that the recommendations are  
5 already implemented and are working.

6                   HON. LYTLE: Before we stand adjourned,  
7 may I suggest that we give a round of applause to our  
8 staff.

9                   This meeting stands adjourned.

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1 STATE OF CALIFORNIA )  
2 CITY AND COUNTY OF SAN FRANCISCO ) ) ss  
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4  
5

6 I hereby certify that the foregoing proceedings  
7 in the within-entitled cause took place at the time a place  
8 herein stated and were reported by me, LINDA KENTZELL, a  
9 Shorthand Reporter and disinterested person, and were  
10 thereafter transcribed into typewriting.

11 And I further certify that I am not of counsel or  
12 attorney for either or any of the parties, nor in any way  
13 interested in the outcome of the cause named in said  
14 caption.

15 IN WITNESS WHEREOF, I have hereunto set my hand  
16 the 30th day of October, 1989.

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LINDA KENTZELL, Reporter